

Assembly Bill No. 691

Passed the Assembly September 2, 2009

Chief Clerk of the Assembly

Passed the Senate August 31, 2009

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2009, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 37710 of, and to add and repeal Section 37710.3 of, the Education Code, relating to school districts.

LEGISLATIVE COUNSEL'S DIGEST

AB 691, Gilmore. School districts: 4-day school week.

Existing law authorizes the Pacific Unified School District, the Leggett Valley Unified School District, the Reeds Creek Elementary School District, the Potter Valley Community Unified School District, the Borrego Springs Unified School District, the Julian Union Elementary School District, the Julian Union High School District, and the Warner Unified School District to operate one or more schools in their districts on a 4-day school week, so long as those school districts comply with specified requirements, including the annual provision of at least 560 hours of instructional time for kindergarten, 700 hours of instructional time for grades 1, 2, and 3, and 845 hours of instructional time for grades 4 to 8, inclusive.

This bill would extend the authority to operate one or more schools on a 4-day school week and apply those minimum annual instructional time requirements, and other specified requirements, to the Alpaugh Unified School District, beginning in the 2010–11 fiscal year. The bill would provide that, if a school operating on a 4-day school week pursuant to the bill fails to achieve its Academic Performance Index growth target for 2 consecutive years, the authority of that school to operate on a 4-day school week would be permanently revoked commencing with the beginning of the following school year. This provision would be repealed on January 1, 2016.

This bill would declare that, due to the unique circumstances applicable to the Alpaugh Unified School District, a general statute cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution, and the enactment of a special statute is therefore necessary.

The people of the State of California do enact as follows:

SECTION 1. Section 37710 of the Education Code is amended to read:

37710. If a school operating on a four-day school week pursuant to Section 37710.3, 37710.5, or 37711 fails to achieve its Academic Performance Index growth target pursuant to Section 52052, the authority of that school to operate on a four-day school week shall be permanently revoked commencing with the beginning of the following school year.

SEC. 2. Section 37710.3 is added to the Education Code, to read:

37710.3. (a) Beginning in the 2010–11 fiscal year, the Alpaugh Unified School District may operate one or more schools in the school district on a four-day school week if the district complies with the instructional time requirements in Section 37701 and the other requirements of this chapter. The state board may waive five-consecutive-day operating requirements for any of the following programs that operate on a four-day school week pursuant to this section, provided that the district meets the minimum time requirement for each program:

- (1) Preschools.
- (2) Before and after school programs.
- (3) Independent study programs.
- (4) Child nutrition and food service programs.
- (5) Community day schools.
- (6) Regional occupational centers or programs.
- (7) Continuation high schools.

(b) If the school district operates one or more schools on a four-day school week pursuant to this section, and the program for the school year provides fewer than the 180 days of instruction required under Section 46200, the Superintendent shall reduce the base revenue limit per unit of average daily attendance for that fiscal year by the amount the school district would have received for the increase received pursuant to subdivision (a) of Section 46200, as adjusted in fiscal years subsequent to the 1984–85 fiscal year. If the school district operates one or more schools on a four-day school week pursuant to this section, and the program provides fewer than the minimum instructional minutes required under Section 46201, the Superintendent shall reduce the base

revenue limit per unit of average daily attendance for that fiscal year in which the reduction occurs by the amount the school district would have received for the increase in the base revenue limit per unit of average daily attendance pursuant to subdivision (a) of Section 46201, as adjusted in the 1987–88 fiscal year and fiscal years thereafter.

(c) Notwithstanding Section 37710, if a small school having between 11 and 99 valid Standardized Testing and Reporting Program test scores operating on a four-day school week fails to achieve its Academic Performance Index growth target pursuant to Section 52052 for two consecutive years, the authority of that school to operate on a four-day school week shall be permanently revoked commencing with the school year following the second consecutive year the school failed to achieve its Academic Performance Index growth rate.

(d) If the school district operates one or more schools on a four-day school week pursuant to this section, the school district shall submit a report to the department, the Senate Committee on Education, and the Assembly Committee on Education on or before January 15, 2015. The report shall include, but not necessarily be limited to, information on all of the following:

(1) Programs the district offered on the fifth schoolday and their participation rates.

(2) Whether the four-day school week schedule resulted in any fiscal savings.

(3) Impact on overall attendance of the schools operating a four-day school week.

(4) Programs for which the state board waived minimum time and five-consecutive-day requirements and the operational and educational effects of the programs if they operated at less time than required.

(5) The impact of the four-day school week on crime statistics, especially on the day on which school would otherwise be in session.

(6) Information on the Academic Performance Index, pursuant to Section 52052, for every year a school in the district operated on a four-day school week. The information shall include, but not necessarily be limited to, the base and growth Academic Performance Index of each school that operated on a four-day

school week and whether that school met the Academic Performance growth targets.

(e) This section shall remain in effect only until January 1, 2016, and as of that date is repealed, unless a later enacted statute, that is enacted before January 1, 2016, deletes or extends that date.

SEC. 3. The Legislature finds and declares that, due to the unique circumstances applicable to the Alpaugh Unified School District, a general law cannot be made applicable within the meaning of Section 16 of Article IV of the California Constitution, and the enactment of a special law is therefore necessary.

Approved _____, 2009

Governor